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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,331	02/11/2004	Erich Mikk	1454.1524	8548
21171 7590 03/23/2007 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER PIERRE LOUIS, ANDRE	
			ART UNIT	PAPER NUMBER
			2123	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/775,331	Applicant(s) MIKK, ERICH	
	Examiner Andre Pierre-Louis	Art Unit 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/11/04; 06/19/06</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claims 1-7 have been presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.1 Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: taking for example independent claims 1 and 4, while the claims are directed to a method for configuring an electrical system, it's unclear to the Examiner how the claims perform such a configuration, more specifically independent claim 4, as presented merely recite the step of generating and displaying a graph.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 3.0 Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatzemeier (USPG_PUB No. 2004/0103390), in view of Cash, Jr. (U.S. Patent No. 6,379,164).

3.1 In considering the independent claims 1 and 4, Gatzemeier substantially teaches a method for configuring an electrical system, comprising: generating and displaying configured function blocks of the electrical system as a first set of representations (*see fig.1, para 0013-0014*); generating and displaying configured objects as a second set of representations

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corresponding to the configured function blocks (*fig.1, 3, para 0013-0016*); creating communication variables in the second representation associated with the configured function blocks (*fig.1,2,4, para 0013-0016*); assigning at least one of the communication variables to at least one of the configured objects; converting information formed by said creating and assigning to associate with at least one of the function blocks, a first document formulated in a page description language and containing first references to corresponding configured objects, and to associate with at least one of the configured objects, a second document formulated in the page description language and containing second references to corresponding function blocks (*fig.3,4, para 0014-0017*); and displaying the first and second documents (*fig.2,4, para 0014-0016*).

Although Gatzemeier does not clearly stated the term configuring an electrical system, his figures clearly show the configuration of a system (*see for example fig.1-4*) having function block and modified generated objects. Nevertheless, Cash, Jr. substantially teaches a system and method for configuring an electrical system (*see title*). Cash, Jr. and Gatzemeier are analogous art because they are from the same field of endeavor and that the system and method teaches by Cash, Jr. is similar to that of Gatzemeier. Therefore, it would have been obvious to one ordinary skilled in the art at the time of the applicant's invention to combine the configuration system and method of Cash, Jr. with the automated system of Gatzemeier because Cash, Jr. teaches the advantage of having an electrical service port that facilitates convenient and simplified installation and removal of electrical receptacles within the junction box (*col.2 lines 29-41*) and the ability to control, monitor or change functionality of an electrical service port (*col.6 lines 22-42*).

3.2 As per claim 2, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step of providing navigation between the first and second set of representations of the function blocks via the first and second references (*fig.1, 4, para 0013-0015; also see Cash, Jr.3-4*).

3.3 With regards to claim 3, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step changing at least one of the first and second references if the information about at least one of the configured function blocks and configured objects changes (*fig.2-4, para 0014-0016; also see Cash, Jr.3-4*).

3.4 Regarding claim 5, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step of providing navigation via the representations of the connection function blocks in response to user selection of the references (*fig.1, 4, para 0006, 0013-0015; also see Cash, Jr.3-4*).

3.5 As per claim 6, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step of repeating said generating to produce a new graph if information about interconnection of the node function blocks changes (*fig.1, 4, para 0013-0015; also see Cash, Jr.3-4, col. 8 line 46-col.10 line 41*).

3.6 With regards to claim 7, the combined teachings of Gatzemeier and Cash, Jr. substantially teach that said generating places the references on the graph in relation to connections actually present, whereby a measure of configuration progress can be derived therefrom (*fig.1, 4, para 0013-0017; also see Cash, Jr.3-4*).

Conclusion


4. Claims 1-7 are rejected and **this action is Non-Final**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Pierre-Louis whose telephone number is 571-272-8636. The examiner can normally be reached on Mon-Fri, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul L. Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 13, 2007

APL


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3/15/07